## SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE LICENSURE

**PROCEEDINGS** 

RE: LORRAINE M. NEZ, L.P.N.

CONTINUED PROBATION

:

License No. P010080,

:

Licensee.

WHEREAS, Lorraine M. Nez, LPN, ("Licensee") is licensed to practice as a practical nurse in the State of South Dakota and holds license number P010080; and

WHEREAS, on or about January 22, 2009, the Licensee entered into a Stipulation and Order for Probation with Remediation with the South Dakota Board of Nursing ("Board"). Said Stipulation and Order for Probation with Remediation is hereby incorporated as if fully set forth herein; and

WHEREAS, Licensee completed the remediation portion of her Stipulation and Order for Probation with Remediation within the allotted time; and

WHEREAS, Licensee has not been fully compliant with the reporting requirements of her probation; and

WHEREAS, the Licensee has completed only two of the four required reports of her probation and the Licensee's work-site supervisor has completed three of the required four quarterly reports. Said quarterly reports by the work-site supervisor revealed three medication errors in July of 2009, four medication errors in August of 2009, and one

transcription error in September 2009. The work-site monitor reported that the number of errors in the last quarter resulted in corrective action/medication re-education; and NOW THEREFORE, it is hereby ordered as follows:

- 1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this probation.
- 2. That the Licensee's license to practice as a practical nurse in the State of South Dakota is placed on continued probationary status for a period of twelve (12) months of continued employment in nursing practice from the date of this Order, which probationary terms and conditions shall be completed by the Licensee as follows:
  - A. That the Licensee, during this year of probation, shall provide quarterly written self and work-site supervisor reports to the Board addressing Licensee's progress as an employee. The reports shall provide and/or address:
    - 1. Licensee's attendance and reliability;
    - Licensee's ability to practice professional nursing, including the exercise of clinical decision making and adherence to documentation standards;
    - Licensee's ability to carry out assigned functions, including
       Licensee's medication administration, decision making, critical
       thinking, and ability to establish priorities in compliance with the
       facilities policies and procedures;

- 4. Licensee's ability to handle stress;
- 5. Number of hours Licensee worked during the reporting period;
- 6. Number of medication errors and type of medication errors;
- 7. Any other information which the Supervisor believes would assist the Board in its ultimate review of this case; and
- Any other information which the Licensee believes would assist the Board in its ultimate review of this case.
- 3. That the Licensee shall, at any time during the period of probation, report in person to such meetings of the Board or to its designated representative as directed and fully cooperate with the Board or its representative in the terms of this probation.
- 4. Licensee shall not violate any law or regulations regarding the practice of nursing.
- 5. Licensee shall notify the Board, in writing, within one (1) week of any change in nursing employment, address, and/or telephone number.
- 6. At the end of the twelve (12) months, the Licensee shall petition the Board for closure of the probationary terms with successful completion of the terms as outlined in this Order.
- 7. If any condition of this probation is violated, the Licensee agrees that the Board may take such action as the Board deems necessary up to and including a total and complete revocation of Licensee's licensing rights in the State of South Dakota.

- 8. The Licensee shall not practice nursing in any state other than South Dakota, which is a party state to the Nurse Licensure Compact, without prior written authorization from both the Board and the Nursing Regulatory Authority in the party state in which the Licensee desires to practice.
- 9. This probation also affects Licensee's privilege to practice in South Dakota should Licensee change her home state under the Nurse Licensure Compact and Licensee's practice privilege is subject to the same requirement as set forth in this Order as her South Dakota license.
- 10. This is reportable discipline and will be published in the Board's newsletter and posted on its website and reported in the Healthcare Integrity and Protection Data Bank (HIPDB) and National Practitioner Data Bank (NPDB) as required by law.

  Additionally, as this is reportable discipline, Licensee understands that she is required to provide an affirmative response to inquiries of disciplinary action on further renewals and other nursing related inquiries.

IT IS HEREBY ORDERED that the above Order of Continued Probation was adopted by the South Dakota Board of Nursing this 22nd day of April, 2010, by a vote of 9-0.

Dated this 29th day of April, 2010.

Gloria Damgaard, Executive Director